

UNITED STATES DISTRICT COURT
for the

Southern District of Ohio

United States of America)
v.)
)
)
)
)
)
)
Case No. 2:23-mj-338
Jamie Lamar Pannell)
Defendant(s))

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 05/11/2023 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

**18 U.S.C. 922(g)(1) & Possession of a Firearm or Ammunition by a Prohibited Person.
18 U.S.C. 924(a)(8)**

18 U.S.C. 922(o) & 18 U.S.C. 924(a)(2) Unlawful Possession or Transfer of a Machinegun.

This criminal complaint is based on these facts:

See Affidavit

Continued on the attached sheet.

Sir — —

Shane Messner, ATF Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: June 1, 2023

City and state: Columbus,
Ohio


Kimberly A. Johnson
United States Magistrate Judge

AFFIDAVIT

I, Shane Messner, being duly sworn, depose and state that:

I have been a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) since November 2005. I am a graduate of the ATF National Academy Special Agent Basic Training and the Federal Law Enforcement Training Center Criminal Investigator Training Program. As a result of my training and experience as an ATF Special Agent, I am familiar with Federal criminal laws pertaining to Federal firearms and narcotics violations. As a Special Agent, I am also authorized to carry firearms, execute warrants, make arrests for offenses against the United States, and perform other such duties as authorized by law.

1. This affidavit is made in support of a criminal complaint against Jamie Lamar PANNELL, aka "J" (DOB: 08/05/81), for a violation of Title 18, United States Code, Section 922(g)(1): Possession of a firearm and/or ammunition by a convicted felon; and for a violation of Title 18, United States Code, Section 922(o): Unlawful Possession or Transfer of a Machinegun. The statements in this affidavit are based upon my training and experience, consultation with other experienced investigators and agents, review of related investigative reports, and other sources of information relative to firearms investigations. This affidavit is intended to set forth probable cause in support of the criminal complaint and does not purport to set forth all of my knowledge regarding this investigation.
2. On May 11, 2023, ATF Special Agents/Task Force Officer (hereinafter referred to as UC Agent(s)), all acting in an undercover (UC) capacity, conducted a UC operation in which the primary UC Agent purchased a Glock 9mm pistol with an attached machinegun conversion device commonly referred to as a "Glock switch" for \$1,300.00 from PANNELL at a predetermined location in Columbus, OH, in the Southern Judicial District of Ohio. This was a pre-agreed upon meeting between PANNELL and the UC Agent for the purpose of PANNELL to sell the aforementioned firearm to the UC Agent. PANNELL was observed with a tan Glock pistol in his front, right pants' pocket when he arrived. PANNELL subsequently produced a tan Glock pistol from his front, right pants' pocket. PANNELL removed the magazine from the firearm and cleared a round of ammunition which was loaded in the chamber. PANNELL then handed the firearm to the UC Agent and stated, "...All day...all day...and it's only been fired once!...We shot that thing and it went blahhhhhh...no doubt one pull..." PANNELL then placed the loaded magazine and a round of ammunition onto the desk for the UC Agent as the conversation continued. The UC Agent examined the tan Glock pistol and subsequently identified the firearm as a Glock, Model 19X, 9mm pistol, bearing serial number BPXY679, with an attached machinegun conversion device commonly referred to as a "Glock switch." The UC Agent counted out and provided PANNELL with \$1,300.00 in pre-recorded ATF "buy" money for the firearm. PANNELL then leaned over and took possession of the \$1,300.00, and PANNELL later placed the money into his black wallet.
3. The UC Agents further examined the Glock pistol. As the conversation continued, one of the UC Agents commented on the Glock switch being metal. PANNELL stated, "...Yea them plastic ones (referring to plastic 3D printed Glock switches) they melt too quick...not long enough...we got so more they ordering so more should have more within a week...they come in boxes of 10...they getting them off the dark web... my son...I don't know how they do it....the dark web..." Based on

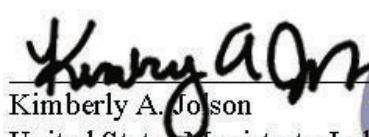
this conversation, the UC Agent(s) talked with PANNELL about acquiring additional Glock pistols with switches on them at a later date.

4. At approximately 1:15 p.m., the UC Agent and PANNELL exited the predetermined location, and shortly after PANNELL walked away from the location. Supporting ATF personnel observed PANNELL enter the front driver's side of the light-colored sedan, further determined to be a Mitsubishi Galant, and soon after the vehicle departed the area.
5. On or around May 16, 2023, SA Messner provided photographs of the above mentioned firearm purchased from PANNELL to the ATF Firearms and Ammunition Technology Division (FATD), and FATD subsequently advised that the Glock pistol appeared to be equipped with a machinegun conversion device, that the photo(s) were consistent with conversion devices that FATD sees on a regular basis, and that Glock-type machinegun conversion devices were machineguns as defined. Furthermore, a Glock conversion device is a part, or combination of parts, designed and intended for use in converting a semiautomatic Glock pistol into a machinegun; therefore it is a "machinegun" as defined in 26 U.S.C. Section 5845(b).
6. Your affiant previously reviewed judgment orders from the Franklin County Court of Common Pleas relating to four (4) felony convictions for PANNELL, which revealed the following: 1) in Franklin County Court of Common Pleas, Case Number 20CR1796, PANNELL pled guilty to Failure to Register, a felony of the 3rd degree, on or around November 24, 2020; 2) in Franklin County Court of Common Pleas, Case Number 18CR1843, PANNELL pled guilty to Promoting Prostitution, a felony of the 4th degree, on or around February 20, 2019; 3) in Franklin County Court of Common Pleas, Case Number 11CR6012, PANNELL pled guilty to Receiving Stolen Property, a felony of the 4th degree, on or around September 26, 2012; and 4) in Franklin County Court of Common Pleas, Case Number 01CR682, PANNELL pled guilty to Tampering with Evidence, a felony of the 4th degree, on or around June 6, 2001. These offenses were punishable by a prison term exceeding one (1) year.
7. On June 1, 2023, ATF Special Agent (SA) Jason Burns reviewed the information on the above mentioned firearm related to this investigation to determine the origin and status as to travel in interstate and/or foreign commerce. SA Burns is an ATF Interstate Nexus Expert, is a graduate of the ATF Firearms Interstate Nexus Training School, and is certified in making firearms and ammunition interstate nexus determinations. SA Burns determined that the Glock, Model 19X, 9mm pistol, bearing serial number BPXY679, with an attached machinegun conversion device commonly referred to as a "Glock switch", was not manufactured in the state of Ohio, and therefore moved/affected interstate/foreign commerce to arrive in the state of Ohio.
8. Based upon the aforementioned information and events, and your affiant's training and experience in dealing with Federal firearms violations, your affiant believes that probable cause exists that on or around May 11, 2023, Jamie PANNELL, a previously convicted felon, did possess a firearm which was not manufactured in the state of Ohio and therefore travelled in and/or affected interstate commerce, a violation of Title 18, United States Code, Section 922(g)(1) and 924(a)(8), and did unlawfully possess or transfer a machinegun, a violation of Title 18, United States Code, Section 922(o) and 924(a)(2).



Shane Messner, ATF Special Agent

Sworn to before me and signed in my presence.



Kimberly A. Jolson
United States Magistrate Judge



June 1, 2023

Date